

AMENDED IN SENATE JUNE 30, 2010

AMENDED IN ASSEMBLY MAY 12, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1854**

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**Introduced by Assembly Member Ammiano**  
*(Principal coauthor: Senator Romero)*

February 12, 2010

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An act to add Section 48204.1 to the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1854, as amended, Ammiano. School attendance: residency requirements.

Existing law requires a person between 6 and 18 years of age not otherwise exempted to attend the public full-time day school or continuation school or classes in the school district where the person's parent or legal guardian is located. Existing law provides various exceptions to this residency requirement, including, but not limited to, authorizing a pupil to attend school in a school district in which his or her parent or guardian is employed.

This bill would require a school district to accept a wide range of documents and representations from the parent or guardian of a pupil as reasonable evidence that the pupil meets those residency requirements, including, but not limited to, property tax payment receipts, rental property contract, lease, or payment receipts, utility service contract, lease, or payment receipts, pay stubs, voter registration, correspondence from a government agency, and a declaration of

residency executed by the parent or guardian of a pupil who is a homeless child or youth, as defined. The bill, if an employee of a school district reasonably believes that the parent or guardian of a pupil has provided false or unreliable evidence of residency, would authorize a school district to make reasonable efforts to determine ~~that~~ *whether* the pupil actually meets the residency requirements.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 48204.1 is added to the Education Code,  
2 to read:  
3 48204.1. (a) A school district shall accept from the parent or  
4 guardian of a pupil reasonable evidence that the pupil meets the  
5 residency requirements for school attendance in the school district  
6 as set forth in Sections 48200 and 48204. Reasonable evidence of  
7 residency shall be established by documentation showing the name  
8 and address of the parent or guardian within the school district,  
9 including, but not limited to, any of the following documentation:  
10 (1) Property tax payment receipts.  
11 (2) Rental property contract, lease, or payment receipts.  
12 (3) Utility service contract, statement, or payment receipts.  
13 (4) Pay stubs.  
14 (5) Voter registration.  
15 (6) Correspondence from a government agency.  
16 (7) Declaration of residency executed by the parent or guardian  
17 of a pupil who is a homeless child or youth as defined in Section  
18 725 of the federal McKinney-Vento Homeless Assistance Act (42  
19 U.S.C. Sec. 11434a).  
20 (b) If any employee of a school district reasonably believes that  
21 the parent or guardian of a pupil has provided false or unreliable  
22 evidence of residency, the school district may make reasonable  
23 efforts to determine ~~that~~ *whether* the pupil actually meets the  
24 residency requirements set forth in Sections 48200 and 48204.  
25 (c) Nothing in this section shall be construed as limiting access  
26 to pupil enrollment in a school district as otherwise provided by  
27 federal and state statutes and regulations.

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